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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,004	04/03/2001	Cafer Tosun	SMUS.0005	1922
7590	07/15/2004		EXAMINER	
Timothy F. Loomis Law Offices of Timothy F. Loomis 2932 Hagen Drive Plano, TX 75025				BLACKWELL, JAMES H
		ART UNIT	PAPER NUMBER	2176

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	09/825,004	TOSUN ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	James H Blackwell	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2001.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-15 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 03 April 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
 Paper No(s)/Mail Date 04/07/03.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 2 are rejected under 35 U.S.C. 102(e) as being anticipated by Sheard et al. (hereinafter Sheard, U.S. Patent No. 6,453,356).

In regard to independent Claim 1, Sheard teaches a system and method for exchanging data between two or more applications. The data exchange system includes a data exchange engine and a number of adapters (listeners) associated with a corresponding number of applications. Each of the adapters is customized to interface with a corresponding application and transforms the data being transferred between the application and the data exchange engine. Data produced by a particular application is converted from a technology dependent form to a technology independent form by the corresponding adapter (Col. 2, lines 30-40). Sheard also teaches that initially, an adapter, such as adapter (208), receives (300) an externally generated message from an application, such as an Operation Support System (OSS) application, of a destination service provider. The adapter (208) receives (302) the message generated by the OSS. The application interface (208a) of the adapter (208) receives the OSS

message and data associated with the OSS message transmitted from the OSS. The OSS message and/or associated data is validated and converted (304) to a Common Object representation by the validator/converter (208b) of the adapter (208). The API (208c) of the adapter (208) represents an application programmer's interface that allows Common Objects to be readily constructed, manipulated, and enqueued. After the request has been converted into Common Object form, the adapter (208) invokes (306) an enqueue interface (208d) to place the OSS message into the receive queue (240) of the data exchange engine (202). The informational content component or raw data associated with the OSS message is transferred to the data store (201) coupled to the data exchange engine (202) (Col. 10, lines 28-47; compare with Claim 1, “**A connection tool, said connection tool being capable of extracting data from documents on an electronic marketplace and converting a format of said data to be compatible with a data warehouse, comprising: a server, said server accepting said document from said electronic marketplace and managing extraction of information from said documents based upon document subscriptions; a listener interface, said listener interface forming an interface between said server and said connection tool**”). Sheard also teaches that the data exchange engine may apply business rules or logic when processing a request for particular informational content. An application, for example, may require informational content produced by a number of different applications. The data exchange engine obtains, organizes, and processes the multiple source informational content as dictated by user-specific business logic. Changes to processing and organizational requirements for a particular

user or application are effected simply by modifying the user-specific business logic, rather than data exchange engine code (Col. 2, lines 57-67; compare with Claim 1, “...

***at least one extraction schema, said at least one extraction schema extracting said information and formatting said information so as to create said output***”).

In regard to dependent Claim 2, Sheard teaches that the informational content of the data stream is then transformed by the adapter into a common or generic format. The data exchange engine receives data in a technology independent form from each of its associated adapters and coordinates the routing of informational content to particular adapters associated with applications that have requested specific informational content (Col. 2, lines 43-51; compare with Claim 2, “... ***said output comprises information extracted from a predetermined document type and is sent to subscribers of said predetermined document type***”).

Claims 8, and 10-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith (U.S. Patent No. 6,604,104).

In regard to independent Claim 8, Smith teaches a system and method for managing the transfer of data within an operational store is disclosed. Data from a plurality of distributed data sources is received at a messaging workflow module. The messaging workflow module prioritizes incoming and outgoing data and requests for data. Data is transferred from messaging workflow module to a translation module, which ensures that the data is in a proper format for the operational data store. Data is transferred from translation module to the operational data store (See Abstract; compare with Claim 8, ***"An electronic marketplace for facilitating electronic commerce between a plurality users through the exchange and processing of electronic documents comprising: a plurality of business services, said plurality of business services comprising applications facilitating electronic commerce; a router, said router routing said electronic documents within said electronic marketplace; a connection tool, said connection tool being capable of extracting data from said documents and converting a format of said data to be compatible with a data warehouse"***).

In regard to dependent Claim 10, Smith teaches a data warehouse as part of a distributed operational data store (see Fig. 1; compare with Claim 10, ***"... a data warehouse"***).

In regard to dependent Claim 11, Smith teaches that various types of data streams may be used as an input to the ODS, even if one or more data streams are geographically remote and under the control of another domain (Col. 4, lines 12-15; compare with Claim 11, “... **said data warehouse is remotely located from said electronic marketplace**”).

In regard to dependent Claim 12, Smith teaches that EAI tool (410) and/or ETL tool may accept incoming data streams and route them through a workflow process that cleanses and organizes the data into a format that the ODS can accept. Fig. 7 shows the process flow of the EAI tool in handling both incoming and outgoing data streams for the ODS. Requests are accepted at step (802), and prioritized at step (804). Requests coming to the EAI tool from source and target systems may be handled according to a workflow priority table, which controls both incoming and outgoing requests. At step (806), the status of a request may be updated. When a request reaches the top of the priority queue, its corresponding data is selected at step (808), and copied into the EAI engine input tables at step (810). Data is queued at step (812), and the message header and/or envelope is then analyzed. The information is used to select the correct map and route for the data within the ODS at step (814). At step (816), the correct syntax map is then selected and the input data mapped to the output format. A business-rules matrix is selected at step (818), and then applied to the data at step (820), where any semantic reconciliation occurs. These business rules may also result in the production of derived syntax at step (822), which in turn creates new messages that may be routed back through the EAI tool for further refinement at step (824). When

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all business-rules processing is complete, the route for the data is selected at step (824) and the output data format sent on the correct target (whether to the ODS or another system) at step (826). At step (828), the status of a request may be updated (Col. 7, lines 66-67; Col. 8, lines 1-27; compare with Claim 12, “*... said router copies documents passing through it and provides said copies to said connection tool*”).

In regard to dependent Claim 13, Smith teaches that EAI tool (410) may translate data for both incoming and outgoing messages to the ODS. On the output side, it may format historical data for a data warehouse or may format messages for EIS, DSS or other transactional systems. The ODS may be isolated from the behaviors of these output systems by the EAI tool. When using an ETL tool, similar workflow functionality is available, however the connections to the message-brokering brokering system or to the legacy source data may be custom-coded by the DODS developer. Data storage components (300) may include an operation data store (310) and a data warehouse (320). As described below, the ODS may be a relational database. It contains entities that represent the current state of the operational enterprise (Col. 8, lines 28-41; compare with Claim 13, “*... said router provides said copies to said connection tool regardless of an intended destination of said documents*”).

In regard to dependent Claim 14, Smith teaches that EAI tool (410) may translate data for both incoming and outgoing messages to the ODS. On the output side, it may format historical data for a data warehouse or may format messages for EIS, DSS or other transactional systems. The ODS may be isolated from the behaviors of these output systems by the EAI tool. When using an ETL tool, similar workflow functionality is

available, however the connections to the message-brokering brokering system or to the legacy source data may be custom-coded by the DODS developer. Data storage components (300) may include an operation data store (310) and a data warehouse (320). As described below, the ODS may be a relational database. It contains entities that represent the current state of the operational enterprise (Col. 8, lines 28-41; compare with Claim 14, “**... said users send at least two copies of said documents to said electronic marketplace, a first copy indicating a destination within said business services and said second copy indicating a destination of said connection tool, said router routing documents according to said indicated destinations**”).

In regard to dependent Claim 15, Smith teaches that the message workflow module (14) and translation module (16) may control the flow and priority of incoming and outgoing data from source distributed database modules (10), data warehouse module (20), and output modules (22) (Col. 3, lines 11-15; compare with Claim 15, “**... documents arriving at said electronic marketplace from said users are in a first format, said first format being compatible with said data warehouse, said connection tool converts said documents to a second format, said second format being compatible with said business services, prior to sending said documents to said business services and converts second format documents exiting said business services back to said first format prior to sending said second format documents to said router**”).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3-5, and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sheard.

In regard to dependent Claims 3-5, Sheard teaches that each of the adapters is customized to interface with a corresponding application and transforms data being transferred between the application and the data exchange engine (see Abstract; compare with Claim 3, “... ***said at least one extraction schema comprises a purchase order listener***” and Claim 4, “... ***at least one extraction schema comprises a purchase order acknowledgement listener***” and Claim 5, “... ***said connection tool comprises a plurality of extraction schemas, said plurality extraction schemas comprising a purchase order listener, a purchase order acknowledgement listener, a sales order listener, a sales order acknowledgement listener and an invoice listener***”). Sheard does not teach a specific type of adapter, however it would have been obvious to one of ordinary skill in the art at the time of invention to have assumed that given a data exchange system as taught by Sheard that one would have expected that among the adapters taught by Sheard, and given the

general environment that such a data exchange system resides in, that the claimed schemas would have existed providing the benefit of handling multiple data sets within a data store.

In regard to dependent Claim 7, Sheard does not teach *said listener interface can be configured via an XML property file*. However, it would have been obvious to one of ordinary skill in the art at the time of invention to configure the listeners with such a property file, regardless of whether it was formatted in XML or any other markup language or for that matter even flat text. The benefit would have been to be able to make changes in the operation of the listeners without having to modify the listeners.

Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sheard in view of Smith.

In regard to dependent Claim 6, Sheard fails to teach that *said documents are XML documents*. However, Smith teaches that partner data formats may also extend beyond traditional database formats to XML, EDI, PIP and other formats (Col. 9, lines 62-63). It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Sheard and Smith providing the benefit of handling a variety of input formats.

Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith in view of Sheard.

In regard to dependent Claim 9, Claim 9 reflects the components of the connection tool as claimed in Claim 1, and is rejected along the same rationale.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James H Blackwell whose telephone number is 703-305-0940. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H Feild can be reached on 703-305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James H. Blackwell  
07/07/04



JOSEPH FEILD  
SUPERVISORY PATENT EXAMINER